

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

KIRBY VANCE BROWNING,

Plaintiff,

MICHAEL AMES, et al.,

Defendants

Civ. A. No. 4:25-cv-40025-DHH

**SCHOOL DEFENDANTS' MOTION TO DISMISS**

The defendants, Michael Ames, David Libby, and Robert F. Kennedy Community Alliance, Inc. move to dismiss the complaint under Fed. R. Civ. P. 12(b)(6) for failure to state a claim on which relief may be granted. Robert F. Kennedy Community Alliance, Inc. also moves to dismiss the complaint on the grounds that it has charitable immunity from suit. A memorandum of law is being filed in support of this motion.

Respectfully submitted,

ROBERT F. KENNEDY COMMUNITY  
ALLIANCE, INC., DAVID LIBBY, and  
MICHAEL AMES,

By their attorneys:

*/s/ Theodore J. Folkman*

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Dated: August 22, 2025

CERTIFICATE OF COMPLIANCE

I certify that I sought to discuss this motion with the plaintiff but that I did not receive a response to my email requesting to confer.

*/s/ Theodore J. Folkman*

CERTIFICATE OF SERVICE

I certify that on August 22, 2025, I caused this document to be served by first-class mail, postage prepaid, on:

Kirby Vance Browning  
401 Flint Ave., Apt. 216  
Albany, GA 31701

*/s/ Theodore J. Folkman*